

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Akio Nakagawa

Serial No.: 10/593,881

Filed: September 21, 2006

For: PUPIL REACTION ASCERTAINING  
DEVICE AND FATIGUE RECOVERY  
PROMOTING DEVICE

Patent Examiner:

Group Art Unit: 3735

Confirmation No. 5792

April 13, 2007

Costa Mesa, California 92626

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371**

Mail Stop PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

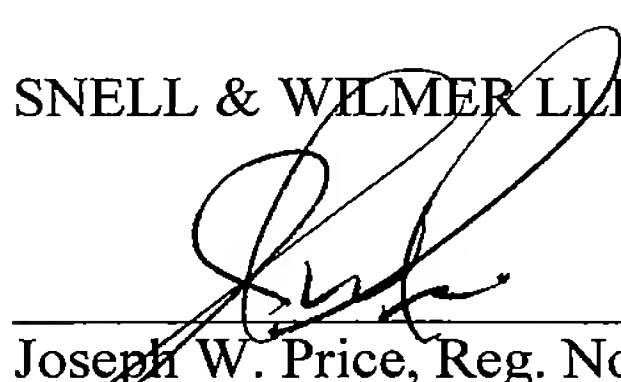
In response to the Notification of Missing Requirements Under 35 USC 371 mailed 03/27/2007, enclosed is the executed oath for filing in the above-identified case. Also, attached is a copy of the 371 Formalities Letter.

Please charge the surcharge of \$65.00 for late filing of this oath to our deposit account No. 19-2814.

If there are any questions with regard to this matter, please do not hesitate to contact the undersigned attorney.

Very truly yours,

SNELL & WILMER LLP



\_\_\_\_\_  
Joseph W. Price, Reg. No. 25,124  
600 Anton Boulevard, Suite 1400  
Costa Mesa, CA 92626-7689  
Tel: 714-427-7420  
Fax: 714-427-7799



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/593,881                  | Akio Nakagawa         | 50478-4100       |

21611  
 SNELL & WILMER LLP (OC)  
 600 ANTON BOULEVARD  
 SUITE 1400  
 COSTA MESA, CA 92626

INTERNATIONAL APPLICATION NO.

PCT/JP05/04684

I.A. FILING DATE

03/16/2005

PRIORITY DATE

03/30/2004

CONFIRMATION NO. 5792

RESPONSE DUE 5-27-07

371 FORMALITIES LETTER

ACTION Oath + Fee Due

\*OC000000023090057\*

Date Mailed: 03/27/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/21/2006
- English Translation of the IA filed on 09/21/2006
- Copy of the International Search Report filed on 09/21/2006
- Preliminary Amendments filed on 09/21/2006
- Information Disclosure Statements filed on 09/21/2006
- Oath or Declaration filed on 09/21/2006
- Request for Immediate Examination filed on 09/21/2006
- U.S. Basic National Fees filed on 09/21/2006
- Priority Documents filed on 09/21/2006

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

## PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/593,881                  | PCT/JP05/04684                | 50478-4100       |